

Original

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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NOV 1 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of:)
)
Amendment of Section 73.202(b))
Table of Allotments,)
FM Broadcast Stations,)
(Ketchikan, Alaska))

RM - _____

To: Chief, Allocations Branch
Policy & Rules Division, Mass Media Bureau

PETITION FOR RULE MAKING

TLP Communications, Inc., by its attorney, and pursuant to §1.401 of the Commission's Rules, hereby respectfully petitions the Commission to institute Rule Making proceedings for amendment of the FM Table of Allocations to add Channel 260A (99.9 MHz) to Ketchikan, Alaska, as its third aural facility, as follows:

<u>City / State</u>	<u>Existing</u>	<u>Proposed</u>
Ketchikan, Alaska	290C3, 294A	260A, 290C3, 294A

In support hereof the following is shown:

Technical Criteria

1. Attached hereto as Exhibit A is an Engineering Statement prepared by Louis R. du Treil, Sr. of du Treil, Lundin & Rackley, Inc. wherein it is stated that Channel 260A may be allotted to

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the community of Ketchikan, Alaska in compliance with §73.207 of the Commission's Rules regarding current spacing requirements. According to the Engineering Statement, Channel 260A may be allotted to Ketchikan without the imposition of a site restriction at reference coordinates North Latitude 55-20-32 and West Longitude 131-38-46. From this location the 70 dbU coverage is easily obtained over the entire city limits of Ketchikan.

Community Status

2. City/ Local Government: Ketchikan is a city located within Ketchikan Gateway Borough, Alaska. Ketchikan city had a 1990 census population of 8,263 persons, and Ketchikan Borough as a whole had a 1990 population of 13,828 persons. Ketchikan is a "home-rule" city since it has an independent elected government, the Ketchikan City Council. The City Council is comprised of eight elected officials, including the Mayor, Alaire Stanton, a city attorney, city clerk, deputy clerk and finance director, along with a non-elected city manager. The current City Manager is Jack Pearson. The address of the City Council is: 334 Front Street, Ketchikan Alaska 99901. The telephone number of the City Council is: (907) 228-5658./¹

¹ All of the population, governmental and cultural information presented in this Petition was secured from the Greater Ketchikan Chamber of Commerce, including their Gateway to Alaska publication. The Chamber of Commerce may be reached at (907) 225-3184.

3. **Defined Boundaries:** Ketchikan has defined Boundaries, thus affording the city to be a geographically identifiable population group.² Attached hereto as Exhibit B is an excerpt of a map produced by Ketchikan Public Utilities and supplied by the Greater Ketchikan Chamber of Commerce wherein the Ketchikan city limit Boundaries are clearly marked.

4. **Local Political, Social and Cultural organizations:** Ketchikan boasts many political, social and cultural organizations within the city. Ketchikan has its own Police and Fire Departments, Human Services Department, Public Utilities and Port and Harbor Departments. Ketchikan Gateway Borough operates a full service airport, provides bus service and maintains many public parks and recreational facilities. Ketchikan also has its own hospital, seven public schools, two libraries, three museums and several federal governmental facilities, including a U.S. Coast Guard Base, U.S. Forest Service facility and U.S. Post Office.

5. The principal industries of Ketchikan are fishing, timber and tourism. More than 2,500 people are employed in the fishing industry. Two pulp mills, a saw mill and logging on a

² See, *Beacon Broadcasting*, 63 RR 2nd 794, 2 FCC Rcd 3469 (1987); *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88, 101 (1982).

long term timber sale directly employ approximately 2,500 people. As the largest city in Southern Southeast Alaska, Ketchikan serves as the supply center for numerous smaller communities and logging camps. Ketchikan has also become Alaska's "most visited" tourist destination. As the first stop on the cruise ship route to Alaska, more than 400,000 people visit Ketchikan each year to enjoy its vast recreational, historical and commercial attractions.

6. Finally, the map attached hereto as Exhibit B denotes the locations of the Ketchikan International Airport, the University of Alaska Ketchikan campus, Ketchikan General Hospital, City Hall, Alaska State jail, seven public schools, two libraries, three museums, a U.S. Coast Guard Base and Bar Harbor, Ketchikan's commercial and cruise ship port.

7. Ketchikan's Population Growth: According to the U.S. Census Bureau, the population of Ketchikan has grown significantly since 1980. In 1980, 11,316 persons resided in Ketchikan Gateway Borough. According to the 1990 U.S. Census, the borough now boasts a population of 13,828. And, according to Satellite Music Network's 1993 demographic report, the projected 1998 population for Ketchikan Gateway Borough is 15,590 persons.

8. Based upon the foregoing, Ketchikan is a community for

FCC allotment purposes. See, e.g., Hannibal, Ohio, 6 FCC Rcd. 2144, 69 RR 2nd 113 (MMB 1991).

Public Interest Statement

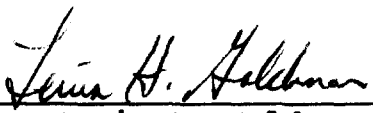
9. As stated in the Engineering Statement, there are two aural facilities in Ketchikan. The proposed channel would serve as the third aural outlet for Ketchikan. As set forth in the du Treil technical showing, one of the two presently authorized FM stations in Ketchikan is a non-commercial facility operating on a commercial channel. That station is seeking authority to relocate to a non-commercial channel. If so, the petitioner's proposed FM station would be only the second commercial station in fast growing Ketchikan. Given the growth in the community's population, the expanding economic base and substantial increase in cruise visitors each year, Ketchikan is well-deserving of its third aural facility.

Statement of Interest

10. TLP Communications, Inc. hereby expresses its intention to apply for Channel 260A at Ketchikan, Alaska, if that Channel is allotted by the Commission, and that further, if its Application is granted, to construct and operate that facility.

WHEREFORE, the above premises considered, TLP Communications, Inc. respectfully urges the Commission to GRANT the instant Petition, and to AMEND the Table of FM Allotments to specify Channel 260A at Ketchikan, Alaska.

Respectfully submitted,
TLP COMMUNICATIONS, INC.

By: 
Lewis H. Goldman
Its Attorney

Lewis H. Goldman, P.C.
1850 M Street, N.W.
Suite 1080
Washington, D.C. 20036

(202) 659-5353

November 1, 1994

TECHNICAL STATEMENT
IN SUPPORT OF MODIFICATION
OF THE TABLE OF FM ALLOTMENTS
47 CFR 73.202(B)
TO ALLOT CHANNEL 260A TO
KETCHIKAN, ALASKA

Introduction

This technical statement was prepared on behalf of TLP Communications, Inc., proponent of modification of the Table of FM allotments, 47 CFR 73.202(b), to add channel 260A to Ketchikan, Alaska. The following table summarizes the change proposed.

<u>City</u>	<u>Existing</u>	<u>Proposed</u>
Ketchikan, AK	290C3, 294A	260A, 290C3, 294A

This technical statement and attached tabulation have been prepared in accordance with Federal Communications Commission rules.

Allocation Study

A tabulation showing the actual and required separation distances from the reference site at Ketchikan, Alaska to all pertinent FM allotments is attached as Figure 1.¹ The tabulation shows that at the reference coordinates, all of the separation requirements of 47 CFR 207(b)(1) are met.

¹ Reference coordinates for Ketchikan, Alaska are 55° 20' 32" North Latitude; 131° 38' 46" West Longitude.

Page 2
Ketchikan, Alaska

Coverage from a hypothetical Class A station was predicted assuming the facilities of a maximum Class A station (6 kilowatts, ERP, 100 meters height above average terrain) at the reference site. From this location, 70 dBu coverage is easily obtained over the entire city of Ketchikan.

Ketchikan city had 1990 census population of 8,263 persons. The city is located in Ketchikan Gateway Borough which had 1990 population of 13,828 persons. Ketchikan presently has two local FM stations operating on channels 290C3 and 294A. Station KRBD operates non-commercially on channel 290C3 but recently filed an application to change to channel 209 (File No BPED-940328MA) which is within the portion of the FM band reserved for non-commercial educational stations.

Channel 260A can be allocated to Ketchikan, Alaska in accordance with FCC rules. The reference site meets the separation requirements of 47 CFR 73.207(b)(1), and all of the city of Ketchikan will receive 70 dBu coverage from the proposal. If allotted, TLP Communication, Inc. will file an application seeking use of channel 260A.



Louis R. du Treil

du Treil, Lundin & Rackley, Inc.
240 N. Washington Blvd., Suite 700
Sarasota, Florida 34236
(813)366-2611

September 30, 1994

Figure 1

TECHNICAL STATEMENT
IN SUPPORT OF MODIFICATION
OF THE TABLE OF FM ALLOTMENTS
47 CFR 73.202(B)
TO ALLOT CHANNEL 260A TO
KETCHIKAN, ALASKA

FM SEPARATION STUDY

Reference Coordinates

55° 20' 32" North Latitude
131° 38' 46" West Longitude

<u>Call Status</u>	<u>City State</u>	<u>Channel (Frequency)</u>	<u>Separations</u>	
			<u>Actual</u> <u>(km)</u>	<u>Required</u> <u>(km)</u>
Clear	None nearby	257	---	---
Alloc.	Kitimat, BC	258B	242.0	84.0
Clear	None nearby	259	---	---
Clear	None nearby	260	---	---
Alloc.	Granisle, BC	261A	351.8	113
Clear	None nearby	262	---	---
Clear	None nearby	263	---	---

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

IN REPLY REFER TO:
1800B3-WBE

May 5, 1985

Mary West, General Manager
Rainbird Community Broadcasting Corp.
Radio Station KRED(FM)
123 Stedman Street
Ketchikan, AK 99901

In re: KRED(FM), Ketchikan, AK
Rainbow Community Broadcasting
Corporation
BPED-940328MA

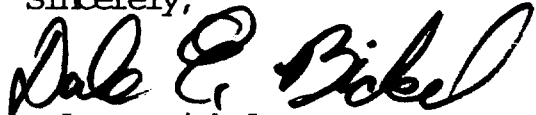
Dear Ms. West:

This letter is in reference to the above-captioned major change construction permit application to change the frequency of KRED from 105.9 MHz (horizontal polarization) to 89.7 MHz (circular polarization).

Your application proposes operation as a Class C station with 7.8 kW effective radiated power (ERP) at the same antenna height and site location as authorized in your license BLED-850515KF. The antenna height above average terrain (HAAT) is -31 meters. The requested Class C designation for the proposed facilities is in error since the minimum ERP for a Class C station is 100 kW. The correct classification pursuant to 47 CFR § 73.211(a) for your proposed 7.8 kW ERP/-31 meter HAAT facilities is Class C3. Consequently, your application has been reclassified to Class C3. This change is administrative in nature only and does not affect any other item in the application.

Because KRED's transmitter site is located within 320 kilometers of the Canadian border, your proposed channel change requires an amendment of Table B of the U.S.A. - Canadian Working Arrangement for FM broadcasting stations. Therefore, we have referred your proposal to the International Branch to obtain Canadian concurrence. Processing on your application will continue in the FM Branch in the meantime.

Sincerely,



Dale E. Bickel
Supervisory Electronics Engineer
FM Branch
Audio Services Division
Mass Media Bureau

cc: Gray Frierson Haertig

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MAR 28 1994

Secretary
Federal Communications Commission
1919 M. Street, NW
Washington, DC 20554

FCC MAIL ROOM

March 13, 1994

RE: Application of Rainbird Community Broadcasting Corporation for a construction permit to modify an existing FM Noncommercial license to: change frequency, change transmitting antenna type, and reduce effective radiated power (ERP).

Dear Sir;

Rainbird Community Broadcasting Corporation is the licensee of non-commercial FM station ~~KRBD~~-FM Ketchikan, Alaska. The station is licensed to Ketchikan and serves Ketchikan as well as several outlying communities via a series of 6 FM translators. The station operates at an ERP of 15 kw. from a transmitter site located within the city limits of Ketchikan.

KRBD-FM presently operates on a frequency of 105.9 MHZ. When the station was first licensed FM operation was restricted to the upper half of the FM band. The use of the lower half of the FM band in Alaska was reserved for military use.

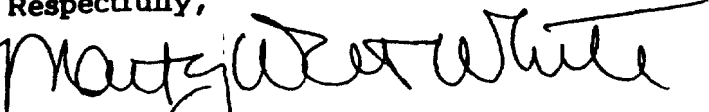
Several years after the start of operations a commercial station, KGTW-FM began operation on a frequency of 106.7 MHZ. The KGTW transmitter site is located in the downtown area of Ketchikan. The blanketing interference caused by their very strong signal and receiver induced intermodulation has made it very difficult for listeners to receive KRBD in the downtown area of Ketchikan. This affects listener support, which is a very strong financial component of the operation of KRBD.

The mountainous terrain and shape of the community causes a great deal of multipath reception. In fact, several listeners within site of the main KRBD transmitting antenna listen to one of the KRBD translators because of the presence of multipath. The existing horizontal only polarization of the transmitting antenna does nothing to mitigate the effects of multipath. Adoption of circular polarization to replace the horizontal only polarization will reduce the effect of multipath and increase the quality of reception in cars, planes, and boats which are numerous in the listening area and usually utilize vertical receive antennas.

It is proposed to change the frequency of KRBD-FM to 89.7 MHZ which will place the station within the non-commercial portion of the FM band. This will eliminate the problems with the reception of KRBD-FM in the downtown area. The enclosed application shows that a reduction in Effective Radiated Power will not reduce the service area of KRBD.

It is hoped that the Commission will act expeditiously on this application so that this very serious problem of lack of KRBD reception in the downtown area of Ketchikan can be eliminated.

Respectfully,

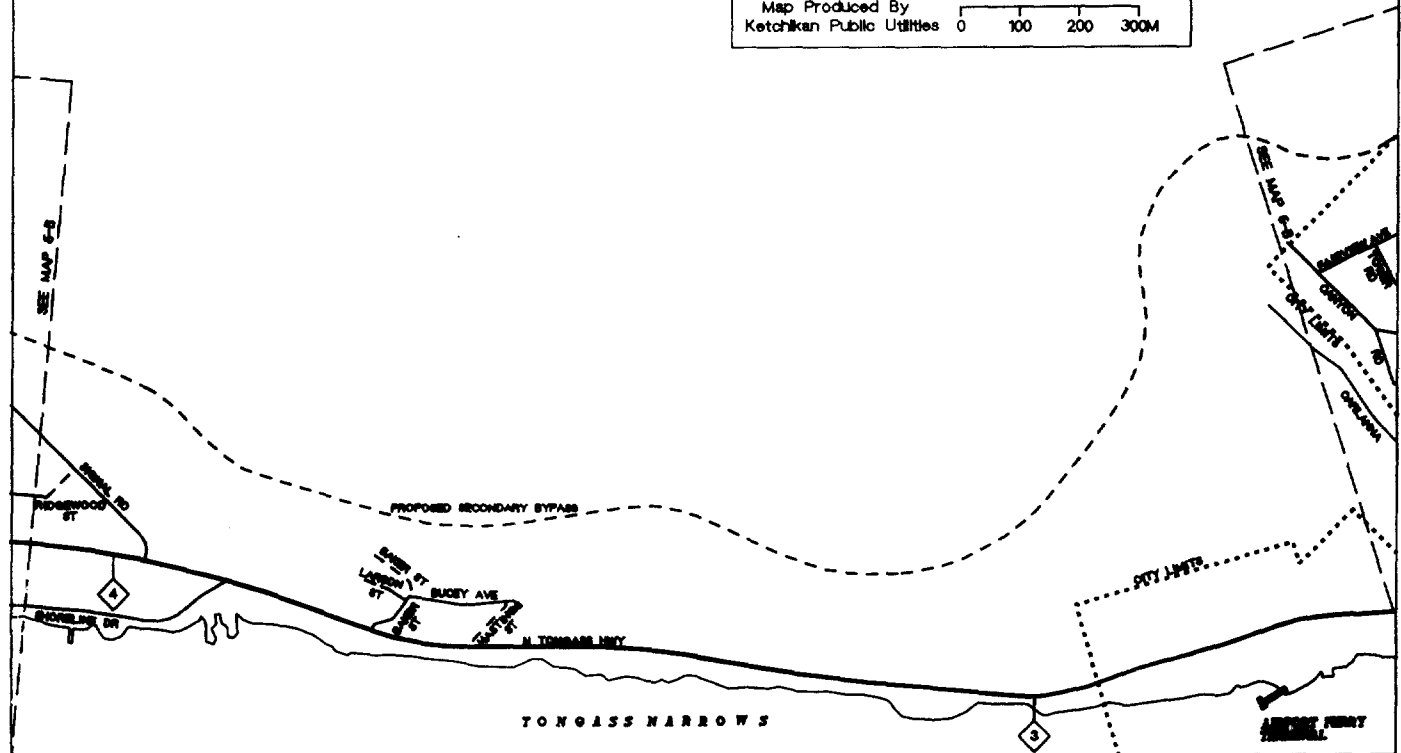
A handwritten signature in cursive script, appearing to read "Marty West", written in dark ink.

Marty West
General Manager
KRBD-FM
Rainbird Community Broadcasting Corporation

EXHIBIT B

MAP 6-A

--- Boardwalk or Stair
 --- Platted roads
 --- Existing roads
 ◇ Mile markers
 Scale 1:12,672
 (5 inches to the mile)
 0 500 1,000 Ft
 0 100 200 300 M
 Map Produced By
 Ketchikan Public Utilities



MAP 6-B CITY OF KETCHIKAN - WEST

--- Boardwalk or Stair
 --- Platted roads
 --- Existing roads
 ◇ Mile markers
 Scale 1:12,672
 (5 inches to the mile)
 0 500 1,000 Ft
 0 100 200 300 M
 Map Produced By
 Ketchikan Public Utilities

